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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

AMERICAN HALLMARK  
INSURANCE COMPANY OF TEXAS, a  
Texas Corporation,

Plaintiff,

v.

RKL ENTERPRISES, INC. f/k/a RKL  
ENTERPRISES, LLC d/b/a PREMIER  
POOLS AND SPAS OF MONTANA, a  
Montana Corporation,

Defendant.

CASE NO. 1:23-CV-00048-SPW-KLD

NOTICE OF DISMISSAL

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Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff American Hallmark Insurance Company of Texas hereby provides this notice of dismissal of the above-captioned matter, in its entirety, with prejudice and with each party solely responsible for its own costs, expenses, and fees, pursuant to a settlement agreement among the parties (“Settlement Agreement”).

In support of this Notice, American Hallmark states as follows:

1. Fed. R. Civ. P. 41(a)(1)(A) provides that, subject to certain exceptions not applicable here, “the plaintiff may dismiss an action without a court order by filing . . . (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.”
2. No defendant has appeared.

WHEREFORE, pursuant to this Notice of Dismissal and Fed. R. Civ. P. 41(a)(1)(A), the above-captioned matter is dismissed with prejudice without an order of the Court, each party to pay its own costs. Pursuant to Fed. R. Civ. P. 58, American Hallmark requests that upon approval of this Notice, the Court direct the Clerk of Court to enter a final judgment, accordingly, pursuant to the Order of Dismissal filed contemporaneously herewith.

DATED this 25th day of May, 2023.

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